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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ARLETHA "JENE" CAREY AND)	
RICHARD CAREY, etc.,)	Case No. 2:10-cv-01532-GMN-RJJ
)	
Plaintiffs,)	MOTION FOR EXTENSION
)	OF TIME TO FILE PROPOSED
v.)	JOINT PRETRIAL ORDER
)	
THE UNITED STATES OF AMERICA; <i>et al.</i> ,)	(First Request)
)	
Defendants.)	
_____)	

Pursuant to Fed. R. Civ. P. 6(b)(1) and Local Rule 6-1, Defendant, the United States of America, respectfully requests that this Court extend the deadline for the parties to file the proposed joint pretrial order. More specifically, and for the reasons explained below, the United States requests that the Court extend the deadline by forty-five days from October 31, 2011 to December 15, 2011. This is the first request for an extension of such deadline and is based on the reasons set forth below.

This is a complex medical malpractice case involving alleged permanent injury, thousands of pages of records, numerous medical providers, and several expert witnesses. Plaintiff has a lengthy medical history. Plaintiff was in a rehabilitation facility at the time of her

1 deposition. During discovery, the parties exchanged over 17,000 pages of records in this matter.
2 The defense is in the process of going through these records to determine the documents, as well
3 as witnesses, to be listed in the joint pretrial order, but this process takes a great deal of time due
4 to the number of documents and issues in the case.

5 Additionally, undersigned counsel must also devote significant time in the near future to
6 an employment/*Bivens* case, *Mary Maureen Minshew v. The Honorable Michael B. Donley, et*
7 *al.*, 2:10-cv-01593-PMP-PAL. Undersigned counsel must travel to Norfolk, Virginia on
8 October 15, 2011 and will remain there for depositions through October 21, 2011. This also
9 requires defense counsel to devote most of his time from October 11 to October 14, 2011 to
10 preparing for these depositions, as well as preparing federal employee witnesses (including an
11 individually named party) for their depositions.

12 On a personal note, undersigned counsel is also scheduled to be out of the office for
13 personal/family reasons on October 27 and 28, 2011.

14 All of this will leave insufficient time for the defense to review, add to, and revise the
15 proposed joint pretrial order, once a draft is submitted to the defense by Plaintiff, as well as
16 allow both counsel to finalize and file a proposed joint pretrial order by October 31, 2011.

17 The month of November also contains the federal holidays of Veteran's Day and
18 Thanksgiving. Given the holidays, the scope of this case, as well as other duties of undersigned
19 counsel, the defense believes that the requested extension of forty-five days would be safer and
20 more advisable than an extension of thirty days (which would put the due date at November 30,
21 2011).

22 Accordingly, the United States respectfully requests that the Court extend the deadline
23 for the parties to file a proposed joint pretrial order by forty-five days, from October 31, 2011 to
24 December 15, 2011.

25 There has not been a previous request to extend the due date of October 31, 2011 to file
26 the proposed joint pretrial order.

1 This motion is filed in good faith and not for purposes of undue delay.

2 Respectfully submitted this 11th day of October, 2011.

3 DANIEL G. BOGDEN
4 United States Attorney

5 /s/ Patrick A. Rose
6 PATRICK A. ROSE
7 Assistant United States Attorney

8 **IT IS SO ORDERED.**

9
10 
11 UNITED STATES MAGISTRATE JUDGE

12 **DATED: 'P qxgo dgt '52.'4233**